

REMARKS

The restriction requirements are made final. Consequently, applicants have amended the polymeric structures of claims 1 and 14 to be directed to the elected species and canceled claims 4, 17 and 26-34.

Further, independent claims 1 and 14 have been amended to make clear that the polymeric particles have net cationic charges. Support can be found on page 16 of the Specification.

No new matter has been added by this amendment. Entry is believed to be proper and respectfully requested. Upon entry of this amendment, claims 1-3, 5-16 and 18-25 are pending. No additional claim fee is due.

REJECTIONS

Double Patenting

The Office Action provisionally rejected claims 1-25 based on nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 3, 5-10 and 12-22 of copending patent application ser. no. 10/698,309.

In response, Applicants will agree to submit the appropriate (or necessary) Terminal Disclaimer over said application when claims allowable but for this double patenting rejection have been identified.

Claim Rejections under 35 USC 103 over EP 925,776

Claims 1-25 are rejected under 35 USC 103(a) as being unpatentable over EP 925,776 for reasons of record on pages 4-6 of the Office Action.

Applicants respectfully traverse to the extent they may apply to the claims as now amended.

Applicants respectfully point out that the molecularly imprinted polymers of the EP '776 comprise monomers that are neutral or anionic (see paragraphs [0014-0017] of EP '776). As such, the EP '776 does not teach or suggest polymeric particles that comprises cationic monomers and have a net cationic charge .

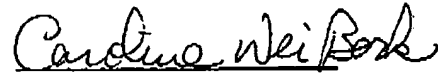
Applicants respectfully request reconsideration and withdrawal of the rejection.

CONCLUSION

Applicants believe that the above is a complete response to the Office Action and the pending claims 1-3, 5-16 and 18-25 are in condition for allowance, but for the double patenting rejection.

In the event that issues remain prior to allowance of the noted claims, the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully Submitted,



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